

REMARKS

No claims are amended, cancelled, or added by this response. Claims 1-5, 7, 10-18, 20, and 23-30 remain pending in the patent application. Reconsideration and allowance of the present patent application based on the following remarks are respectfully requested.

Applicant appreciates the allowance of claims 1-5, 7, 10, 25, and 26 and the indication that claims 12, 13, 15-18, and 23-30 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, Applicant respectfully submits that claims 12, 13, 15-18, and 23-30 are allowable for at least the reasons below. Claim 20 was not addressed by the Examiner in the Detailed Action mailed June 2, 2006, but was indicated as being objected to on the corresponding Office Action Summary sheet. Applicant assumes that claim 20 was intended to be objected to as being allowable but dependent upon a rejected claim (claim 14) but, regardless of its status, Applicant respectfully submits that claim 20 is allowable for at least the reasons below.

Claim 11 was rejected under 35 U.S.C. § 103(a) based on Tabarelli et al. (U.S. Patent No. 4,509,852; "Tabarelli") in view of Tsukamoto et al. (U.S. Patent Application Publication No. US 2004/0036850 A1; "Tsukamoto"). The rejection is respectfully traversed.

Applicant respectfully submits that the Examiner has not presented a *prima facie* case of obviousness. Specifically, the Examiner has not identified where in the cited references there is disclosed, taught, or suggested a device manufacturing method comprising, *inter alia*, "exhausting a liquid from between the substrate and the burl plate." Applicant respectfully submits that such a disclosure, teaching, or suggestion is not present in the cited references and, since the Examiner has not identified such disclosure, teaching, or suggestion, claim 11 is patentable over Tabarelli and Tsukamoto, alone or in combination.

Applicant respectfully submits that the omission may be the result of an accidental misreading of the claim by the Examiner. In paragraph 2 of the Office Action of June 2, 2006, the Examiner states, "[a]n immersion liquid 6 is exhausted *from between the projection system and the substrate* through the port 5" (emphasis added) but provides no discussion regarding exhausting a liquid *from between the substrate and the burl plate*, as claimed. Because the port 5 of Tabarelli clearly does not exhaust a liquid from between a substrate and a burl plate and the Examiner does not point to any other element of Tabarelli for this aspect, claim 11 is patentable over Tabarelli.

Tsukamoto does not cure the deficiencies of Tabarelli since the cited portions of Tsukamoto do not disclose, teach, or suggest a device manufacturing method comprising, *inter alia*, “exhausting a liquid from between the substrate and the burl plate.” The cited portions of Tsukamoto do not refer in any way to exhausting liquid from between the substrate and the burl plate and therefore do not disclose, teach, or suggest that which is lacking in Tabarelli. As a result, claim 11 is patentable over Tabarelli and Tsukamoto, alone or in combination.

Accordingly, reconsideration and withdrawal of the rejection of claim 11 under 35 U.S.C. § 103(a) based on Tabarelli in view of Tsukamoto are respectfully requested.

Claim 11 was rejected under 35 U.S.C. § 103(a) based on Takahashi (U.S. Patent No. 5,610,683) in view of Tsukamoto. The rejection is respectfully traversed.

Claim 11 is patentable over Takahashi since the cited portions of Takahashi do not disclose, teach, or suggest a device manufacturing method comprising, *inter alia*, “exhausting a liquid from between the substrate and the burl plate.” The Examiner has failed to address this aspect of the claim and has not cited to any portion of Takahashi in support of a disclosure, teaching, or suggestion of this aspect. The Examiner does cite to Takahashi for the proposition that “the substrate may be held by vacuum attraction” but provides no discussion regarding exhausting a liquid from between the substrate and the burl plate.

Takahashi explicitly teaches against exhausting liquid from between the disclosed substrate and substrate holding means at the end of the very same sentence cited by the Examiner: “The holding means may include a passageway for holding the substrate through vacuum attraction, and an openable/closable shutter *for preventing flow of the liquid into the passageway*” (col. 3, lines 23-27 of Takahashi). Therefore, whether or not the substrate holding means of Takahashi may even be considered a burl plate (which Applicant does not concede could be a burl plate), Takahashi does not disclose, teach, or suggest exhausting a liquid from between the substrate and the burl plate, as claimed, and, as a result, claim 11 is patentable over Takahashi.

Tsukamoto does not cure the deficiencies of Takahashi since the cited portions of Tsukamoto do not disclose, teach, or suggest a device manufacturing method comprising, *inter alia*, “exhausting a liquid from between the substrate and the burl plate.” The cited portions of Tsukamoto do not refer in any way to exhausting liquid from between the substrate and the burl plate and therefore do not disclose, teach, or suggest that which is

lacking in Takahashi. As a result, claim 11 is patentable over Takahashi and Tsukamoto, alone or in combination.

Accordingly, reconsideration and withdrawal of the rejection of claim 11 under 35 U.S.C. § 103(a) based on Takahashi in view of Tsukamoto are respectfully requested.

Claim 14 was rejected under 35 U.S.C. § 103(a) based on Takahashi in view of Takabayashi (U.S. Patent No. 5,923,408). The rejection is respectfully traversed.

Applicant respectfully submits that the Examiner may have accidentally misread the claim. Claim 14 recites, *inter alia*, “wherein the density of burls in a peripheral portion of the burl plate is higher than in a medial portion thereof.” The Examiner, however, cites Takabayashi and states that, “Takabayashi has a burl plate having a *greater concentration of projections 11 in the medial portion* of the plate than at the periphery” (emphasis added), which is the opposite of what is recited in claim 14, namely a density of burls in a peripheral portion of the burl plate is higher than in a medial portion thereof. Takabayashi, therefore, does not cure the deficiencies of Takahashi (which the Examiner acknowledges does not disclose a burl plate at all) and, as a result, claim 14 is patentable over Takahashi and Takabayashi, alone or in combination.

Additionally, no specific disclosure, teaching, or suggestion has been given for the portion of the claim that includes, “wherein the burl plate is configured to permit leakage of a liquid into a space between the burl plate and the substrate,” which Applicant submits is not disclosed, taught, or suggested by any of the cited references of record.

Accordingly, reconsideration and withdrawal of the rejection of claim 14 under 35 U.S.C. § 103(a) based on Takahashi in view of Takabayashi are respectfully requested.

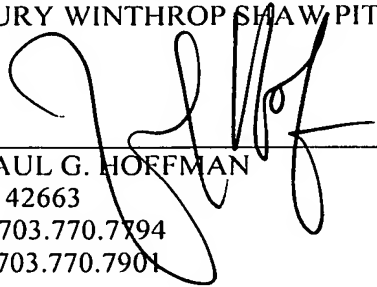
Applicant has addressed all the Examiner’s rejections and respectfully submits that the application is in condition for allowance. A notice to that effect is earnestly solicited. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

ZAAL ET AL. -- 10/814,815
Client/Matter: 081468-0309012

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Respectfully submitted,

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